



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

April 29, 2015

Allison Lundergan Grimes
Commonwealth of Kentucky Secretary of State
700 Capital Avenue, Suite 152
Frankfort, KY 40601

RECEIVED AND FILED
DATE May 5, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Janet Allison

RE: 2014 Annexation Approvals by the Metro Council of the Louisville/Jefferson County Metro Government ("Metro Council")

Dear Secretary of State:

KRS 67C.111(3) provides:

(3) Upon the adoption of a consolidated local government in a county containing a city of the first class, there shall be no annexations for a period of twelve (12) years by any city remaining in the county. After that time, any proposed annexation by a city in that county shall first receive the approval of the legislative council of the consolidated local government prior to the city proceeding under the provisions of KRS Chapter 81A. The city shall request the approval of the consolidated legislative council by ordinance. The consolidated legislative council's decision shall be made by ordinance and within sixty (60) days of the receipt of the request by the affected city. If an ordinance has not been enacted by the consolidated legislative council within sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved by the consolidated legislative council.

In 2014, the Metro Council approved six (6) different ordinances authorizing annexations within Louisville Metro as follows:

1. Metro Ordinance No. 087, Series 2014, authorizing Jeffersontown to annex 2 tracts of land as requested by Jeffersontown in Ordinance No. 1304-2014, and approved by Jeffersontown in Ordinance Nos. 1303-2014 and 1306-2014.
2. Metro Ordinance No. 215, Series 2014, authorizing Jeffersontown to annex property described as Chenoweth Hills Estates as requested by Jeffersontown in Ordinance No. 1318-2014 and approved by Jeffersontown in Ordinance No. 1326-2015.
3. Metro Ordinance No. 214, Series 2014, authorizing St. Matthews to annex 416 Springwood Lane, and 4905 and 4125 Massie Avenue, as requested by St. Matthews in Ordinance No. 14-13 and approved by St. Matthews in Ordinance No. 14-12.

4. Metro Ordinance No. 055, Series 2014, authorizing St. Matthews to annex 11 houses on Springwood Lane, as requested by St. Matthews in Ordinance No. 13-07 and approved by St. Matthews in Ordinance No. 14-01.
5. Metro Ordinance No. 160, Series 2014, authorizing Middletown to annex the Beckley Woods Subdivision, as requested by Middletown in Ordinance No. 14-16 and approved by Middletown in Ordinance No. 14-17.
6. Metro Ordinance No. 147, Series 2014, authorizing St. Matthews to annex the City of Richlawn, as requested by the City of St. Matthews in Ordinance No. 14-10 and the City of Richlawn in Ordinance No. 2014-04. The annexation question was submitted to the voters of the City of Richlawn on Election Day in November 2014. See page 17 of the Jefferson County Board of Elections Official Results of the General Election held November 4, 2014, which indicate that the Richlawn annexation by St. Matthews was opposed by more than 55% of the voters. Therefore, pursuant to KRS 81A.420(3), the annexation was ineffectual.

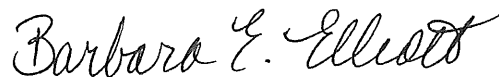
Enclosed with this letter are certified copies of the Metro Ordinances referenced in subparagraphs 1 through 5 above, the election results referenced in paragraph 6 above, and the materials submitted to Metro by the cities of Jeffersontown, St. Matthews and Middletown seeking Metro Council authorizations for the annexations. These materials include the items required to be filed by these cities with the Secretary of State and the County Clerk.

Due to the unique nature of a consolidated local government, Louisville/Jefferson County Metro Government is not deannexing the property sought to be annexed by cities located in Jefferson County. While the boundaries of the annexing cities will expand as a result of these annexations, the boundaries of Louisville Metro will remain unchanged. As such, there is no requirement that Metro submit or record any documentation under KRS Chapter 81A. We are providing the Metro Ordinances and other enclosed documentation to your office as a matter of information and convenience.

Finally, please note that regardless of when the cities' ordinances approving the annexations may have been adopted, annexations within Louisville Metro may not take effect until on or after January 6, 2015, which is 12 years after Louisville/Jefferson County Metro Government came into existence.

If you need any additional information, please call me at (502) 574-8134. Thank you for your assistance in this matter.

Sincerely,



Barbara E. Elliott
Assistant Counsel to the Mayor

Cc: Stephen Ott, Metro Council Clerk
Sarah Martin, Assistant Jefferson County Attorney

Materials accompanying paragraph #3



LOUISVILLE METRO COUNCIL
CLERK'S OFFICE

H. STEPHEN OTT
CLERK OF THE COUNCIL

I, H. STEPHEN OTT, CLERK OF THE METRO COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND CUSTODIAN OF THE ORIGINAL ROLLS OF THE CITY OF LOUISVILLE ORDINANCES, JEFFERSON COUNTY ORDINANCES, LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT ORDINANCES, PUBLIC RECORDS, PAPERS AND DOCUMENTS OF THE FORMER BOARD OF ALDERMEN OF THE CITY OF LOUISVILLE, FISCAL COURT OF JEFFERSON COUNTY AND LOUISVILLE METRO GOVERNMENT, AND PURSUANT TO SECTION 83A.060 OF THE KENTUCKY REVISED STATUTES, I DO HEREBY CERTIFY THAT THE ATTACHED IS A FULL AND TRUE COPY OF:

ORDINANCE No. 214, Series 2014

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY THE CITY OF ST. MATTHEWS OF FOURTEEN THREE PROPERTIES. (AS AMENDED)

DATED THIS 18TH DAY OF FEBRUARY 2015



H. STEPHEN OTT, COUNCIL CLERK
LOUISVILLE METRO COUNCIL
LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT

SEAL

ORDINANCE NO. 214, SERIES 2014

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY THE CITY OF ST. MATTHEWS OF FOURTEEN THREE PROPERTIES. (AS AMENDED)

Sponsored By: Councilman Kelly Downard

WHEREAS, on November 13, 2014 the City Council of City of St. Matthews, Kentucky voted in favor of an ordinance to annex ~~42~~ one ~~properties~~ property located on Springwood Lane and two houses on Massie Avenue (attached hereto); and

WHEREAS, the City of St. Matthews filed a request on November 19, 2014 with the Office of the Metro Council Clerk requesting that the Louisville Metro Council approve the annexation of the property described above; and

WHEREAS, the boundaries of the properties described above are surrounding by the City of St. Matthews; and

WHEREAS, according to the City Council of City of St. Matthews Ordinance No. 14-13, one hundred percent of the property owners have consented to being annexed by the City of St. Matthews; and

WHEREAS, KRS 67C.111(3) requires the City of St. Matthews obtain approval of the annexation from Louisville Metro Council prior to the City of St. Matthews proceeding with the annexation requirements under KRS Chapter 81A; and

WHEREAS, KRS 67C.111(3) gives Louisville Metro Council the authority to approve or deny annexation requests "by ordinance and within sixty (60) days of the receipt of the request" and if Louisville Metro Council does not act within "sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved".

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:


SECTION I: Metro Council hereby approves the annexation proposed by the City of St. Matthews in its ordinance number 14-13 on November 13, 2014 (attached hereto) pursuant to its authority under KRS 67C.111(3).

SECTION II: This ordinance shall take effect on the date provided in KRS 67C.111(3).


H. Stephen Ott
Metro Council Clerk

  12/18/2014
Jim King Approval Date
President of the Council PRO-TEM

APPROVED AS TO FORM:


Michael J. O'Connell
Jefferson County Attorney



Ordinance Annexation St Matthews Proposal ROC sjm 26 Nov 2014 O-553-14

CITY OF ST. MATTHEWS

ORDINANCE NO. 14-13

AN ORDINANCE RELATING TO ANNEXATION OF PROPERTY OMITTED FROM ORDINANCE 14-01 ADJACENT TO AND CONTIGUOUS WITH PRESENT ST. MATTHEWS BOUNDARY, AND PROPERTY KNOWN AS 416 SPRINGWOOD LANE, 4095 AND 4125 MASSIE AVENUE, ALL MORE PARTICULARLY HEREINAFTER DESCRIBED. (416 Springwood Lane, 4095 Massie Avenue and 4125 Massie Avenue)

WHEREAS, the City of St. Matthews seeks to annex the following described tracts of land (with improvements) which tracts are not contiguous with the boundary of the former City of Louisville; and

WHEREAS, One Hundred Percent (100%) of the residents and property owners residing within the annexation area have executed their written consent to the subject annexation by the City of St. Matthews; and

WHEREAS, the City of St. Matthews is ready and able to immediately begin furnishing municipal services to the area upon annexation of the area; and

WHEREAS, KRS 67C.111 requires that the annexation receive the approval of the legislative council of the consolidated local government (the Louisville/Jefferson County Metro City Council) prior to the City proceeding under the provisions of KRS Chapter 81A; now, therefore

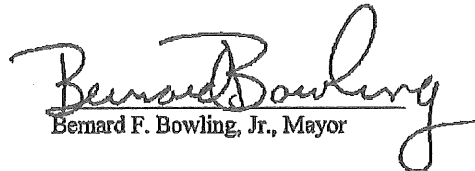
BE IT ORDAINED BY THE CITY OF ST. MATTHEWS, as follows:

Section 1. The City of St. Matthews hereby seeks and requests the approval of the Louisville/Jefferson County Metro Council of the annexation of property known as 416 Springwood Lane, 4095 Massie Avenue and 4125 Massie Avenue, a full description is contained in the attached Ordinance 14-12.

Section 2. This ordinance shall take effect upon its adoption and publication as required by law.

Introduction and first reading held at a regular meeting of the City Council held this 11th day of November, 2014.

Second reading, passed and approved at a special meeting on November 13, 2014.


Bernard F. Bowling, Jr., Mayor

ATTEST:


Susan Clark, City Clerk

Voting Record:

	Y	N		Y	N
<u>Arthur K. Draut</u>			<u>Frank Flynn</u>		
<u>Stuart Monohan</u> ✓	✓		<u>Mary Jo Nays</u> ✓	✓	
Stuart Monohan			<u>Mary Jo Nays</u>		
<u>Martha Schade</u>			<u>Rick Tonini</u> ✓	✓	
<u>Tony Weiter</u> ✓	✓		<u>Pat Wissing</u>		

I, Susan Clark, hereby certify that I am the duly appointed and acting City Clerk of the City of St. Matthews and that the vote on this ordinance was as above checked and I hereby certify that this is a true copy of City of St. Matthews Ordinance No. 14-13, adopted by the City Council on November 13, 2014.

Dated this 13th day of November, 2014.

Susan Clark
Susan Clark, City Clerk

CITY OF ST. MATTHEWS

ORDINANCE NO. 14-13

AN ORDINANCE RELATING TO ANNEXATION OF PROPERTY OMITTED FROM ORDINANCE 14-01 ADJACENT TO AND CONTIGUOUS WITH PRESENT ST. MATTHEWS BOUNDARY, AND PROPERTY KNOWN AS 416 SPRINGWOOD LANE, 4095 MASSIE AVENUE AND 4125 MASSIE AVENUE, ALL MORE PARTICULARLY HEREINAFTER DESCRIBED. (416 Springwood Lane, 4095 Massie Avenue and 4125 Massie Avenue)

Summary of Ordinance

The foregoing ordinance, adopted November 13, 2014, refers to a proposed annexation of 416 Springwood Lane, 4095 Massie Avenue and 4125 Massie Avenue to the Louisville/Jefferson County Metro Council for approval. A full copy is on file with the City Clerk and may be reviewed during normal business hours.

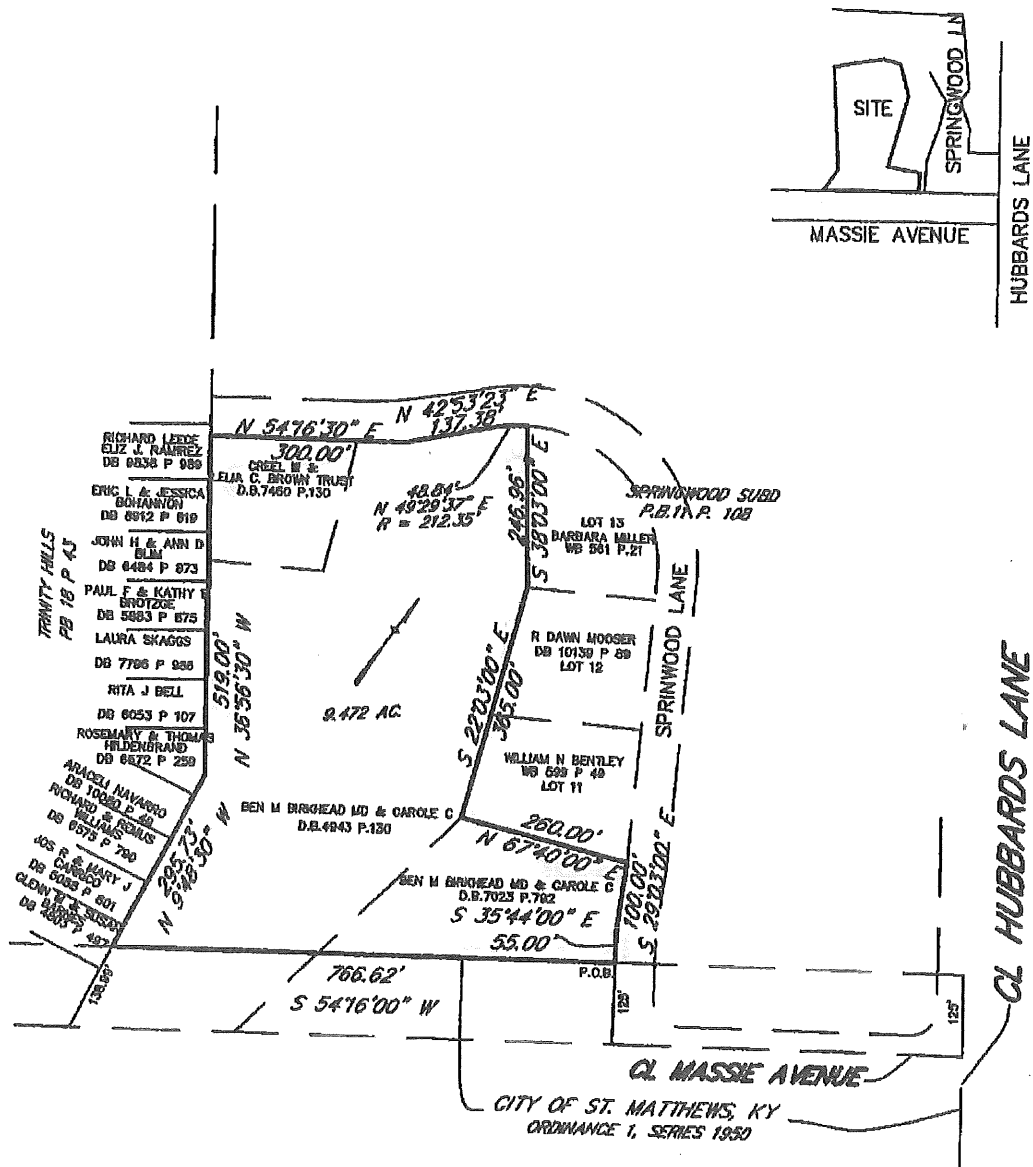
Prepared by Foster L. Haunz, Attorney for City of St. Matthews.
Foster L. Haunz, Attorney

CITY OF ST. MATTHEWS

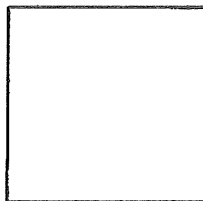
Exhibit Legal Description

Being a tract of land lying in the eastern portion of Metro Louisville, Kentucky, just west of Hubbards Lane and just north of Massie Avenue and being more particularly described as follows:

Beginning at the intersection of the west line of Springwood Lane with a line 125 feet north of and parallel with the centerline of Massie Avenue, said point being in the line common to City of St. Matthews by Ordinance 1, Series 1950; thence with said parallel line South 54 degrees 16 minutes 00 seconds West 766.62 feet to its intersection with the east line of Trinity Hills, a plat of record in Plat Book 18, Page 43 in the office of the Clerk of Jefferson County, Kentucky; thence said east line North 09 degrees 48 minutes 30 seconds West 295.73 feet and North 36 degrees 56 minutes 30 seconds West 519.00 feet to its intersection with the south line of Springwood Lane; thence with said south line South 54 degrees 16 minutes 30 seconds East 300.00 feet, North 42 degrees 53 minutes 23 seconds East 137.38 feet and with a curve to the right having a radius of 212.35 feet, the chord of which measures North 49 degrees 29 minutes 37 seconds East 48.84 feet to its intersection with an line common to Springwood Subdivision of record in Plat Book 11, Page 108 in the office aforesaid; thence with lines common to same, South 38 degrees 03 minutes 00 seconds East 246.96 feet, South 22 degrees 03 minutes 00 seconds East 365.00 feet, and North 67 degrees 40 minutes 00 seconds East 260.00 feet to its intersection with the west line of Springwood Lane aforesaid; thence with said west line South 29 degrees 03 minutes 00 seconds East 100.00 feet, and South 35 degrees 44 minutes 00 seconds East 55.00 feet to the point of beginning, containing 9.472 acres.



The reference meridian used on this plat to determine the directions of plat lines was based on Springwood Subdivision plat of record in Plat Book 11, Page 108 in the office of the Clerk of Jefferson County, Kentucky and was used in conjunction with Ordinance 1, Series 1950 and Trinity Hills in Plat Book 18, Page 43, to determine the boundaries of the annexation as shown hereon.



I hereby certify that this plat was made under my supervision and is correct to the best of my knowledge and belief. Distances as shown on this plat have not been adjusted for closure. This annexation plat meets or exceeds the minimum standards of governing authorities.

Surveyor

SCALE 1" = 200'

HDR ONE COMPANY
Many Solutions
One Riverfront Plaza
401 West Main Street, Suite 600
Louisville, Kentucky 40202
PHONE (502)584-4118 FAX (502)588-8000

ANNEXATION MAP FOR CITY OF ST. MATTHEWS,

Date November 4, 2014

ADDITIONAL DOCUMENTS
INCLUDED WITH SUBMISSION.

To research the filing, contact the
Office of Secretary of State.